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Congress of the United States
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February 17, 2016

COMMITTEE ON ENERGY AND COMMERCE

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DEMOCRATIC SENIOR WHIP

Mr. Ron Curry
Regional Administrator
U S Environmental Protection Agency
Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Re: San Jacinto River Waste Pits Superfund Site

Dear Regional Administrator Curry:

I write you today regarding the San Jacinto River Waste Pits Superfund Site found in east Harris County, Texas. As the U.S. Environmental Protection Agency moves forward to finalizing the remediation of the waste pits, I urge the Agency to adopt Alternative 6N, the full removal of the hazardous dioxins and toxins currently at the site.

I was actively involved in ensuring that the San Jacinto River Waste Pits were added to the National Priorities List in 2008 when they were located in the 29th Congressional District. The residents of the 29th District, as well as communities along the San Jacinto River and Galveston Bay and throughout Greater Houston, continue to be concerned about the hazardous toxins still found at the site and the danger they pose to human health and the environment today and for years to come.

Our office shares the concerns of Harris County and the Galveston Bay Foundation with the U S. Army Corps of Engineers' Draft Final Evaluation on Remedial Alternatives that was released last year. There is a great deal of uncertainty found with the Draft Report's recommendations, including the long term effectiveness of geomembranes, the impact of vessel collisions to the cap, and the failure to evaluate the impact of a major hurricane on the cap. Our area has been hit by three major storms – Allison, Rita, and Ike – in the past 15 years and with the growing uncertainty of rising sea level and storm intensification due to climate change, we must have a reasonable understanding of what would happen to the armed cap and the dioxins lying underneath if a category 5 hurricane made a direct hit on eastern Harris County.

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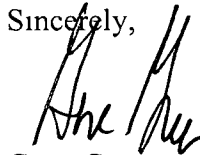
EXTERNAL AFFAIRS DIVISION

The damage to the armed cap found last December further highlights the hazards associated with maintaining the armed cap in place. The damage to the cap may have been created by a barge strike, given the fact that the Waste Pits are located adjacent to a barge fleeting facility and near one of the busiest ship channels in the country. It is my understanding that two months after the cap's deficiencies were identified, neither the EPA nor the Potentially Responsible Parties know how the damage was created or can definitely answer if there was a release of dioxins into the environment.

I acknowledge that there are some concerns with the possible release of dioxin into the environment if the EPA adopts the full removal alternative. I share these concerns. However, I am far more comfortable with a full removal, where monitoring can be done to measure and quantify the mass of contaminated sediment around the immediate area. If monitoring showed levels above acceptable levels, work would be stopped immediately and enhanced methods used to remove the impacted sediment. With an armed cap, however, there would be nearly no way to limit or control release into the environment if it is damaged or erodes in future years.

Our local communities and stakeholders, who will be directly impacted by the EPA's decision, are united in calling for the full removal of the dioxins from the San Jacinto River. I hope the EPA will take these comments under strong consideration and I reiterate the importance of removing all of the dioxins out of the Waste Pits. Thank you for your consideration on this important matter. I look forward to working with Region 6 on this and other environmental issues important to the people of Texas and Harris County.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Green", written over a horizontal line.

Gene Green
Member of Congress